

One Utah Center, Suite 800
201 South Main Street
Salt Lake City, UT 84111-2221
TEL 801.531.3000
FAX 801.531.3001
www.ballardspahr.com

Jerold G. Oldroyd
Direct: 801.517.6801
Fax: 801.596.6801
oldroydj@ballardspahr.com

November 24, 2009

Ms. Julie Orchard
Commission Secretary
Utah Public Service Commission
Heber M. Wells Building, Fourth Floor
160 East 300 South
Salt Lake City, Utah 84114

Re: In the Matter of an Investigation Regarding Third-Party Arrangements for Renewable
Energy Generation
Docket No. 09-999-12

Dear Julie:

At the request of the Commissioners of the Utah Public Service Commission, enclosed are six (6) copies of the Declaratory Ruling issued on November 19, 2009 by the Federal Energy Regulatory Commission ("FERC") in Docket No. EL09-31-000, 129 FERC ¶ 61,146. The Declaratory Ruling confirms the petition of Sun Edison, LLC that certain of its subsidiaries' sales to end-use customers do not constitute the sale of electric energy at wholesale in interstate commerce or the transmission of electric energy in interstate commerce for purposes of the Federal Power Act and that net metering arrangements under certain conditions do not constitute a sale of electricity by a utility customer.

Please telephone if you have any questions.

Sincerely,



Jerold G. Oldroyd

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Enclosures